

Remarks

In connection with the above-referenced patent application and in response to the Office Action dated April 27, 2007 in connection therewith, Applicant hereby amends certain claims, and cancels certain other (now redundant) claims, to more clearly recite what Applicant regards as his invention. Applicant also hereby submits a corrected replacement drawing for Figure 2, attached hereto, labeling the figure as “prior art” as required by the Examiner. Applicant submits that the instant claims, as amended, are patentable over the cited references and that the instant application, as amended, is in condition for allowance.

In the instant Office Action, the drawings stand objected to because Figure 2 should be designated by a legend such as “prior art”; claims 1-7 and 13-19 stand rejected under 35 U.S.C. 102(a/e) as being anticipated by U.S. Publication No. 2003/0087629 by David Juitt *et al.* (hereinafter “Juitt”); and claims 8-12 and 20-24 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Juitt in view of U.S. Publication No. 2002/0176579 by Nikil Deshpande *et al.* (hereinafter “Deshpande”). Applicant has provided a replacement drawing for Figure 2 to overcome the outstanding objection thereto, and has amended the instant claims herein. Applicant submits that the amended claims are patentable over the cited references.

The instant invention provides for a method and apparatus which eliminates the need both for dual authentication and for individualized billing/payment arrangements when a user terminal, whose user is personally associated with a given enterprise having a Virtual Private Network (VPN), wishes to use a wireless hotspot (or other network access) service provider to connect to and make use of *only* its associated enterprise’s VPN. More specifically, the instant invention enables the user of the user terminal to freely connect to his or her enterprise’s VPN, without providing any direct authentication of the user’s or the user terminal’s identity to the hotspot (or other network access) service provider, and without directly providing any billing or payment information whatsoever to the service provider. In particular, such an un-authenticated connection is permitted by the service provider only because the given enterprise and the hotspot (or other network access) service provider have a pre-existing relationship (including, in particular, a billing arrangement) so that the cost of any access to the enterprise’s VPN may be ultimately billed to the enterprise itself.

By way of this amendment, Applicant has amended each of independent claims 1 and 13 by (i) incorporating each of the limitations of (a) previous dependent claims 10 and 11 into independent claim 1 and (b) previous dependent claims 22 and 23 into independent claim 13; and (ii) adding a new limitation to each of independent claims 1 and 13 – specifically requiring that “the user terminal [does not] provid[e] any authentication of an identity thereof to the network access server” and that “the user terminal [does not] directly provid[e] any billing or payment information to the network access server.”

The combination of the cited references (Juitt and Deshpande), however, does not teach or suggest the instant invention as claimed by amended claims 1 and 13. In particular, neither of these references, alone or in combination, teach or suggest allowing un-authorized (and un-paid) access by a user terminal to an enterprise’s VPN through a network access server operated by a service provider. Juitt, for example, only discloses (in relevant part) that a “gateway server is interposed between wireless access points and protected networks to provide security and integration functions, for example, authentication, access control, link privacy, link integrity, and bandwidth metering.” (See, for example, Juitt, “Abstract.”) That is, the network access service (*i.e.*, “gateway server”) disclosed by Juitt necessarily *requires* authentication of the user terminal, thereby teaching away from, rather than disclosing, the instant invention. Moreover, as admitted in the instant Office Action, “Juitt is silent on network access server is operated by a service provider, wherein said service provider has a pre-existing relationship with each of one or more known enterprises, and wherein said one or more enterprise-authenticated hosts consists of one or more VPN gateways associated with each of said one or more known enterprises.” (See instant Office Action, page 6, paragraph 3.)

But Deshpande does not, in fact, cure the defect of Juitt in this regard. Rather, Deshpande, although it may well disclose a “business or private mode” in which (a) “a business entity is billed for user/device usage of services from a hotspot service provider network” based on pre-existing “business arrangements” (see, Deshpande [0028], lines 3-6), and in which (b) “high encryption is used to essentially create a virtual private network (VPN) and that would be most useful to business or individual users/devices requiring high security (e.g., accessing a corporate LAN)” (see, Deshpande [0026], lines 17-21), it *does not* teach or suggest that “the user terminal [does not]

provid[e] any authentication of an identity thereof to the network access server” and that “the user terminal [does not] directly provid[e] any billing or payment information to the network access server,” as is required by the instant claims (See instant claims 1 and 13.)

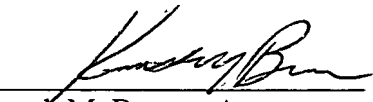
Moreover, despite the allegation of the instant Office Action stating that Deshpande discloses “wherein said one or more enterprise-authenticated hosts consists of one or more VPN gateways associated with each of said one or more known enterprises ([0026], lines 17-21)” (see instant Office Action, page 6, paragraph 3), Applicant submits that Deshpande does *not*, in fact, disclose any enterprise-authenticated hosts or VPN gateways at all. Rather, Deshpande only discloses (in relevant part) that a “business or private mode” thereof can use “high encryption” to “*essentially create a virtual private network*” (emphasis added), and that such a mode is “useful to . . . users/devices requiring high security.” (See Deshpande [0026], lines 17-21.) That is, Deshpande, when used in its “business or private mode,” merely creates its own VPN-like environment for use (for example) with a corporate LAN. It does not teach or suggest “providing *limited network access*” by “*providing network connectivity* through said network access server between said user terminal and one or more predetermined *enterprise-authenticated hosts* and *not providing network connectivity* through said network access server between said user terminal and *network sites other than* said one or more predetermined enterprise-authenticated hosts” (emphasis added), let alone doing so “*without* the user terminal having provided any *authentication* of an identity thereof to the network access server, *and without* the user terminal having directly provided any *billing or payment information* to the network access server” (emphasis added), as is required by the instant claims.

Thus, neither Deshpande alone, nor the combination of Juitt and Deshpande, teach or suggest allowing un-authorized (and un-paid) access by a user terminal to a VPN gateway (*i.e.*, an enterprise-authenticated host) of an enterprise’s VPN through a network access server operated by a service provider. Moreover, as pointed out above, Juitt teaches away from such a requirement, thus making any combination of Juitt and Deshpande inapposite.

For the above reasons, Applicant submits that each of independent claims 1 and 13, as amended, are patentable over the cited references. And since each of the remaining pending claims depend from one of these independent claims, each of these dependent claims are patentable over the cited references for at least the same reasons. Specifically, therefore, Applicant submits that all of the instant claims are patentable over the cited references and respectfully submits that the instant application is in condition for allowance. Reconsideration of this application is respectfully requested in light of this submission. The Examiner is invited to telephone Applicant's attorney, Kenneth M. Brown, at (908) 582-5998, should there be any questions or issues for discussion in the reconsideration of the pending application.

Respectfully,

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